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REMOTE STORAGE

CONSTITUTION, BY-LAWS
AND
RULES OF ORDER
OF THE

American Brotherhood
of Cementworkers



1903

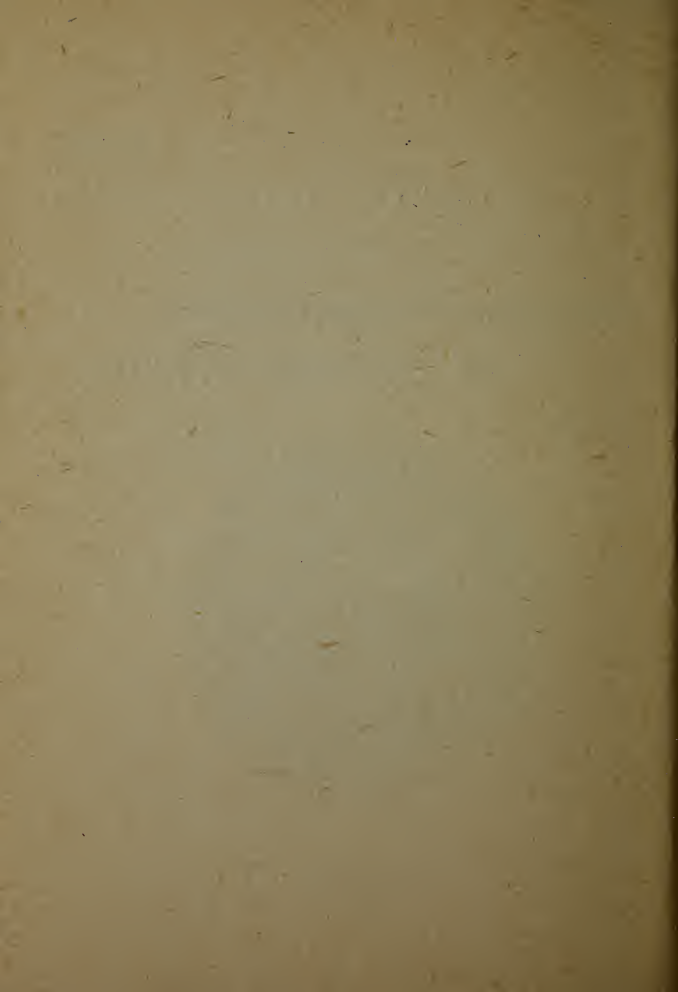


CONSTITUTION, BY-LAWS
AND
RULES OF ORDER
OF THE
**American Brotherhood
of Cementworkers**



1904

Organized  Labor



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REMOTE STORAGE

CONSTITUTION, BY-LAWS
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**American Brotherhood
of Cementworkers**

PREAMBLE.

Fully realizing through experience, study and observation the necessity of unity of the wage earners of the world, and believing in fraternal affiliation of the toilers of our continent, and recognizing the principle that the union of a few gives protection to the individual members thereof, it follows that the union

of unions, the national or international brotherhood must necessarily ameliorate the condition of the men working at a trade or calling in a corresponding ratio.

The working man of to-day is a historical product. He has been evolved out of former conditions by influences and forces of which he is a part, but over which he had no control.

Necessity is the mother of the trade-union movement. Gigantic combines of capital, comprising the civilized lands on the globe, have been formed for the purpose of more easily and effectively reaping the product of toil. It is therefore but natural that the thousands of craftsmen should be associated together in industrial brotherhoods, that they may better secure a just and equitable share of what they produce by their labor.

We therefore establish, organize and form an International Brotherhood of Cement Workers, with these objects and principles as a basis of organization: 1st, to elevate the cement workers' trade from the low level to

which it has fallen in its unorganized state; 2nd, to establish more firmly the shorter work day, and ultimately a uniform minimum rate of wages; 3rd, by mutual effort to raise the members to that position in society to which they are justly entitled; 4th, to cultivate a feeling of friendship among the craft and to elevate the moral, intellectual and social condition of all cement workers; 5th, to establish more harmonious relations between the employer and the employee through beneficial legislation, conciliation and arbitration; 6th, to assist each other to secure employment; and in order to best preserve the foregoing principles and achieve those high aims and objects, we do hereby ordain and establish the following Constitution and By-Laws:

CONSTITUTION.

ARTICLE I.

Name.

Section 1. This organization shall be known as the AMERICAN BROTHERHOOD OF CEMENT WORKERS.

ARTICLE II.

Objects.

Section 1. The objects of this Brotherhood shall be to elevate the cement workers' trade, by uniting all men employed in the construction of artificial stone, concrete and cement work by establishing a uniform rate of wages and hours of work, and for mutual protection.

ARTICLE III.

Membership.

Section 1. Local unions may be organized and admitted to membership in this Brotherhood by seven (7) charter members who are actually engaged in the vocation of cement work.

Sec. 2. This Brotherhood shall not be dissolved as long as there are seven (7) unions in good standing objecting to such dissolution.

ARTICLE IV.

Trade Jurisdiction.

Section 1. The American Brotherhood of Cement Workers claims for its members all artificial stone, concrete wall or foundation work, copings and steps, concrete floors and sidewalks, cementing on concrete, cement mould work, curbs and gutters, cemetery improvements composed of concrete, fireproof

floors, sidewalk lights set in cement, and all other concrete construction.

ARTICLE V.

Officers.

Section 1. The officers of this Brotherhood shall be a General President, First, Second, Third, Fourth and Fifth Vice-Presidents, and a General Secretary-Treasurer.

Duties of Officers.

Sec. 2. The General President shall preside at all meetings of this Brotherhood, preserve order and enforce the laws thereof. He shall decide all constitutional questions, subject to an appeal to the Executive Board. He shall appoint all officers pro tem. and all committees not otherwise provided for. He shall sign all orders on the treasury for the payment of such moneys as shall be required by the Constitution and by special direction of the Brotherhood. It shall be his duty to visit

unions whenever the necessities of the case require it.

Duties of Vice-Presidents.

Sec. 3. The First, Second, Third, Fourth and Fifth Vice-Presidents shall perform all the duties of the President in his absence and perform such other duties as the Brotherhood may require.

Duties of General Secretary-Treasurer.

Sec. 4. The General Secretary-Treasurer shall keep a correct and true record of the proceedings of the Convention. He shall be custodian of the funds, archives, charters and seals of the Brotherhood, and he shall correspond with all secretaries of affiliated unions at least every month. He shall notify all unions of any trade disputes that take place or are liable to occur. He shall receive all orders from affiliating unions and promulgate all decisions of the President and of the Executive Board. He shall receive and receipt

for all moneys paid by the affiliating unions, and conduct his office in a businesslike manner. He shall render a monthly report of all moneys received and expended, showing the correct financial status of the organization. He shall turn over to his successor, when duly qualified, all property and moneys belonging to this Brotherhood.

Bonds.

Sec. 5. The General President and General Secretary-Treasurer shall each furnish a bond in the amount of two thousand dollars (\$2,000); said bonds to be forwarded to and approved by the General Executive Board within thirty days after their election.

Sec. 6. The Executive Board of this organization shall be composed of the General President, the five Vice-Presidents and the General Secretary-Treasurer. The Board shall decide on all questions of appeal from the rulings of the President, all trade disputes and grievances, and its decision shall be final.

The First Vice-President shall act as Chairman of the General Executive Board.

Vacancies.

Sec. 7. All vacancies shall be filled by the General Executive Board.

ARTICLE VI.

Revenue.

Section 1. The revenue of this Brotherhood shall be derived from a monthly per capita tax of ten (10) cents, payable on the first of each month.

ARTICLE VII.

Delinquents.

Section 1. Any local union failing to remit its tax on or before the last day of the month shall be notified by the General Secretary-Treasurer by registered letter, and if such delinquent tax is not paid within fifteen (15) days, including the day of notification, the

union shall stand suspended; and if a union becomes two (2) months in arrears, it shall forfeit its charter; provided, however, that a union which is suffering a lockout or strike approved by the General Executive Board shall be granted all necessary time within which to pay up its dues.

ARTICLE VIII.

Charters.

Section 1. Each affiliating union shall pay a charter fee of ten dollars (\$10) before being admitted to membership in the Brotherhood, and in no case shall a charter be issued to a union where there are less than seven (7) members, and then only after its Constitution shall have been approved by the General Executive Board.

ARTICLE IX.

Depository.

Section 1. The General Executive Board shall, at its first regular meeting, designate a

reliable bank or trust company wherein all the funds of the Brotherhood, exceeding the amount of five hundred dollars (\$500), in the hands of the General Secretary-Treasurer, shall be deposited. No money can be drawn out of the bank account, except on a check signed by the General President, the First Vice-President and the General Secretary-Treasurer.

Sec. 2. The bank or trust company shall also act as the custodian for the Brotherhood of the bonds of the General President and of the General Secretary-Treasurer.

ARTICLE X.

Reports of Local Unions.

Section 1. The secretaries of affiliating unions shall on the first day of each month forward to the General Secretary-Treasurer's office a complete report of their members in good standing, state of trade, number of members admitted, died, resigned, expelled, initia-

tion fees, wage schedule and hours of work, and all other matters of vital interest to the craft.

Sec. 2. Any affiliating union failing to report regularly, its members shall not be recognized by other unions in good standing on presentation of its traveling cards.

Sec. 3. In cases where it is proven that it is the fault of the local secretary that the report has not been sent to the General Secretary-Treasurer, as provided for in the foregoing section, the General President shall cause such traveling card to be honored, and the local union shall be fined ten dollars (\$10) for neglect of duty, said fine to be turned into the defense fund of the Brotherhood.

ARTICLE XI.

Traveling Cards.

Section 1. Traveling cards of the American Brotherhood of Cement Workers shall be issued by the General Secretary-Treasurer to

all affiliating unions; said card shall be in book form, each book containing twenty-four (24) coupons, twelve (12) withdrawal and twelve (12) depositing coupons, to cost fifty (50) cents for each book.

Sec. 2. On the outside of said book shall be inscribed the following: "American Brotherhood of Cement Workers."

Sec. 3. On the first leaf of the book shall be printed amount of initiation fee paid; Brother..... is a member in good standing of Union No., A. B. of C., and is entitled to the rights, duties and fellowship of all members and unions affiliated with the American Brotherhood of Cement Workers.

Sec. 4. On first page of the book shall be printed when initiated, where, name of brother, transferred from Union, date and year.....Financial Secretary, Union No.....seal. The foregoing formula must be filled out promptly by the Financial Secretary of the Union issuing traveling cards, and

the member drawing such card must pay the sum of one dollar (\$1) for the card when he procures it.

Sec. 5. The coupons mentioned in the preceding Sections shall read as follows:

....., 1903.
 Brother.....No. of
 Union No. has left said Local.
 Financial Sec'y.
 (Seal) Local No.

....., 1903.
 Brother No. of
 Local Union No. has deposited in
 Local No.
 Financial Sec'y.
 (Seal) Local No.

Sec. 6. Local Secretaries shall forward to the General Secretary-Treasurer the names of all members of their respective locals. The General Secretary-Treasurer shall number all members' names sent to him by local Secretaries, and shall keep a record of such in a

book provided for that purpose, and forward the numbers to their respective locals.

Sec. 7. The local Secretary issuing a card and the local Secretary receiving a card shall immediately forward coupons detached to the General Secretary-Treasurer.

Sec. 8. When a local union is locked out, or out on strike, members of the A. B. of C. cannot deposit traveling cards in said local until lock out or strike is settled. When a strike or lock-out is on in any local, the Secretary of said local shall immediately notify the General Secretary-Treasurer of the same, also stating why said strike or lock-out is on. The Secretary-Treasurer shall immediately notify all locals of said strike or lockout and of settlement.

Sec. 9. The General Secretary-Treasurer, upon receiving depositing coupons, shall immediately transfer name and number of said coupons from the local list of one association to the other.

Sec. 10. When a member of a local union shall move from the jurisdiction of one asso-

ciation to that of another, he shall be allowed to work until the first meeting night after his arrival in its jurisdiction; thereupon said member shall present his card, to the Financial Secretary, and his card shall be honored, and his name placed upon the membership rolls.

Sec. 11. Any member wishing to leave a local and travel shall get the signature of the Financial Secretary of such local, also have the seal and date of the month placed on his coupon, and he must deposit the same within thirty days from such date in some local, or forfeit his membership in the A. B. of C.

Sec. 12. Any person who has not been a member of his local for twelve months in good standing, or of less than twelve months membership in the Brotherhood, depositing his card in another local where the initiation fee is larger, shall pay the difference in cost of initiation, membership to date from date of registration in the Secretary-Treasurer's office.

Sec. 13. Local unions shall have jurisdiction over their own working cards.

Sec. 14. The traveling card shall be deposited with the Financial Secretary of local unions, he to retain the same until the brother desires to travel again. The Financial Secretary shall issue a working card to the brother so depositing a traveling card. Said card must be lifted before the brother owning the same can join another local.

Sec. 15. Any member depositing his book in a local affiliated with this Brotherhood shall not be compelled to pay dues to such local for the same month that he has already paid.

Sec. 16. All Recording Secretaries of affiliating Unions shall keep a ledger in which shall be placed a true record of all fines and expulsions that are published in monthly reports of the General Secretary-Treasurer. Said ledger must be referred to before initiating any applicant. Any affiliating local failing to keep such record, upon conviction, shall be fined

five dollars (\$5.), said fine to be paid to the A. B. of C. defense fund.

Sec. 17. In case a member drawing his traveling book and depositing the same in another local, and said local forfeiting its charter after the depositeure of said book, said member shall place his case before the General Secretary-Treasurer. The General Secretary-Treasurer shall have power to issue said member a new card if he deems it advisable.

Sec. 18. Any member having been fined by a local, and joining this Brotherhood again as a member of a local receiving a charter shall not receive a traveling card until such time as said fine is collected and paid to the local which imposed it.

ARTICLE XII.

Affiliating Unions.

Section 1. No affiliating union shall be entitled to the financial support of the Brother-

hood in case of strike or lockout until such strike or lockout shall have been approved by the General Executive Board.

Sec. 2. Affiliating unions shall collect fines imposed by sister unions of this Brotherhood and forward the same to the union where such fine has been placed.

Sec. 3. All unions shall, as far as practicable, concentrate their efforts to establish a uniform minimum rate of wages and maximum hours of work.

Sec. 4. Every affiliating union shall inaugurate a thorough apprenticeship system in accordance with such rules as the trade requirements of its locality may justify.

Sec 5. The Financial Secretary of each local shall remit to the General Secretary Treasurer monthly a per capita tax of twenty-five (25) cents upon each initiation, the same to constitute a defense fund to be used only for aiding unions of the craft in strikes, lockouts, etc., to be expended in the discretion of the General Executive Board. The G. E. B. may

add to this fund from any other revenues as the financial condition of the Brotherhood may justify, providing that newly formed unions are exempt from this tax for six months after receiving their charter.

Sec 6. In cities where there are over 1000 cementworkers, they may organize into two distinct local unions. Where two or more such unions exist they shall form a District Council of Cementworkers, the laws of which shall not conflict with the written rules and spirit of this Brotherhood, and said laws of such District Council must be approved by the General Executive Board before they become operative.

Sec 7. No member of any affiliating union shall work at any branch of cementwork as specified in the Constitution, hire or employ any men except he be a member in good standing in this Brotherhood; provided however, that applicants for membership may be allowed to work in accordance with local regulations.

Sec 8. Members of all unions affiliating with this Brotherhood must confine themselves strictly to their respective class of work in accordance with local laws and trade regulations.

Sec. 9. No affiliating union shall be allowed to place its initiation fee to a higher figure than \$25.00.

Sec. 10. No member of this Brotherhood shall be permitted to work under injunction rule or police protection. For violation of this law the offender shall be fined a penalty not less than \$25 and not more than \$100; 50 per cent. of said fine shall be forwarded to the Secretary-Treasurer and placed in the Brotherhood's defense fund.

ARTICLE XIII.

Arbitration and Conciliation.

Section 1. The American Brotherhood of Cement Workers will not sanction any strike or lock-out until all possible efforts to arbitrate and conciliate the difficulty have failed.

ARTICLE XIV.

Conventions.

Section 1. The annual Convention of this Brotherhood shall convene on the second Tuesday in the month of June, each and every year.

Sec. 2. The representation to the convention shall be on the following basis: one delegate at large and one delegate for every twenty-five members in good standing or major fraction thereof.

Sec. 3. Representation from 15 unions shall constitute a quorum.

Sec. 4. It shall be the duty of the General President, the five Vice-Presidents and of the General Secretary-Treasurer to attend the sessions of the next convention after their election, and their expenses shall be paid by this Brotherhood if they are not delegates representing affiliating unions.

Sec. 5. The salary of the General Secretary-Treasurer shall be fixed by the annual convention previous to election for the ensuing

year. The General President and five Vice-Presidents shall receive their current rate of wages and traveling expenses while doing actual service for the Brotherhood.

ARTICLE XV.

Amendments and By-Laws.

Section 1. No By-Laws shall be adopted by any affiliating union that conflict with this Constitution.

Sec. 2. An amendment to or alteration of this Constitution shall only be made at a regular annual convention of this Brotherhood, and said amendment or alteration shall have passed a third reading, and then only when carried by two-thirds majority vote of the delegates present.

ARTICLE XVI.

Powers.

Section 1. The General Executive Board shall have the power to levy assessments in case of strikes and lockouts not to exceed twenty-five cents a member each month, said assessments shall be payable at once to the General Secretary-Treasurer and by him credited to the Brotherhood's Defense Fund and said assessment shall be delinquent within thirty (30) days from the time of notification. Any union failing to pay its assessments within forty-five (45) days from the date of notification shall forfeit its charter.

Sec. 2. The Executive Board shall have power to suspend or expel affiliating unions for neglect of duty, rebellious conduct, actions injurious to the best interests of the Brotherhood and treason to the established principles and recognized usages of the labor movement.

RULES OF ORDER.

1. This Brotherhood may take action upon any communication, report or other matter of business whenever it is introduced, without referring it to New Business.

2. The presiding officer shall, when debate has ceased on any question, put the same to a vote, giving the words of the motion or resolution, if requested.

Motions.

3. A member wishing to make a motion shall arise and address the presiding officer and shall wait until he is recognized by the presiding officer before stating his motion.

4. Every motion, except to fill blanks, must receive a second before being received by the Brotherhood or considered open to discussion; but if a motion is properly made an opportunity for a second shall be given before another motion may be received.

5. When a motion has been properly made and seconded, it shall be stated by the presiding officer and shall then be in possession of the house, and can only be withdrawn before amendment or final decision with the consent of the house.

6. When a motion is in the possession of the House, no other motion shall be received except,

- (a) To adjourn,
- (b) To lay on the table,
- (c) For the previous question,
- (d) To postpone,
- (e) To commit,
- (f) To amend,

which shall have precedence in the order named.

7. The motion to adjourn without a time named is undebatable and is in order at any time, except a member has the floor or no business has been transacted since the same motion was put.

8. A motion to adjourn to a day certain is debatable, is open to amendment and has no precedence over an ordinary motion.

9. A motion to fix the time to which the meeting shall adjourn may be made at any time, even after a vote has been taken to adjourn, if the vote has not been announced. If it takes precedence of any other motion it is undebatable, but may be amended.

10. A motion to lay on the table is undebatable, and when applied to amendments, lays the amendments only on the table.

11. A question laid upon the table may be revived at any time by a motion to take from the table. If such motion is carried, the question stands before the meeting in the same condition as regards amendments as when laid upon the table. But if there be doubt or dispute as to pending amendments, the main question shall be the one before the meeting.

12. The motion for the previous question is undebatable; it must be seconded by five members, and shall require a two-thirds vote

to carry. It shall be put in this form: "Shall the main question be now put?" If the motion is lost the question remains the same as before the previous question was moved. If carried, the question shall be first put on pending amendments in their order and then on the main question as amended, without further debate.

13. A motion to limit or fix a time for closing debate has the same object as the previous question. It has precedence next to it, but is debatable and open to amendment. It requires a two-thirds vote to adopt.

14. A motion to postpone to a day certain or indefinitely is debatable and open to amendment.

15. A motion to commit may contain the number and names of the committee, and instructions to the same. It is debatable and open to amendment.

16. A motion to amend is debatable and may itself be amended; but an amendment to an amendment is as far as may be gone from

the main question. When one amendment has been disposed of, another may be made, and so on until debate shall have been closed.

17. Amendments must pertain to the general subject, and may be made in three ways: By "striking out," by "inserting," or by "substituting" certain words.

18. The minutes may not be "amended," but may be "corrected" if they contain some error of fact or of grammar.

19. A motion is not in order, except to adjourn, which contains a proposition identical with one voted on at the same meeting, whether couched in the same language or not.

20. A motion to reconsider a vote once taken shall be made on the same day, or within two days of the original vote. It must be made by one who voted with the prevailing side.

21. A motion to reconsider being once put and lost may not be renewed.

22. In routine business the presiding officer may designate the disposition of any matter,

and, if there be no objection, order it so disposed of; but if there be objection by any member, a motion to dispose of it must be made.

23. All motions, unless merely affecting the order of business, shall on request of the presiding officer, or any member, be submitted in writing and read by the Secretary.

Debate.

24. When a motion has been made and seconded, it shall be stated by the presiding officer, or, if in writing read by the Secretary, and if debatable shall then be open to debate.

25. When a member is about to speak to a question, he shall rise and address the presiding officer, and shall not proceed until he has been recognized by the presiding officer; and the presiding officer shall announce the name of the member entitled to the floor, and the member shall confine himself to the question under consideration. He shall use no violent

or improper language, nor impugn the motives of any other delegate.

26. A member having the floor may not be interrupted except on a call to order or a question of personal privilege.

27. When called to order the member speaking shall take his seat until the question of order is decided, when he shall again be entitled to the floor.

28. No member shall speak more than twice on a question, nor more than five minutes at any one time, without permission from the House. An amendment is construed to be a different question from the main one in limiting debate, except the mover of the original motion, who shall be allowed to close the debate.

29. When two or more members rise at the same time and address the presiding officer, the latter shall designate which member is entitled to the floor, but in opening debate on any question, the mover or the member who reports it from committee shall be given the preference.

30. The presiding officer cannot take part in debate except on an appeal from his decision, but he may state any facts or give any information in his possession to the meeting. In case he desires to take part in any debate on any question except an appeal, he shall call some member to the chair, and he may not resume his place until the question under discussion is disposed of.

31. When debate has ceased on any question the presiding officer shall inquire, "Are you ready for the question?" and if no member rise to speak, he shall put the question to a vote.

32. The following motions are undebatable: To adjourn, to fix the time to which the meeting shall adjourn (when taking precedence over another motion), to lay on the table, for the previous question, an appeal from the decision of the presiding officer on order of business or decorum, or while the previous question is pending, and to suspend the rules.

Of the Vote.

33. Every qualified delegate shall vote on every question put to the convention, unless excused by the chair.

34. All questions requiring no more than a majority vote may be put in this form: "All in favor of the motion say 'Aye,' contrary, 'No,' " and in doubtful cases the presiding officer may direct, or any member may call for, a division.

35. When a division has been called for, or when more than a majority vote is required, the presiding officer shall call for those in favor of the motion to rise and remain standing until counted by the Secretary, and then for those opposed to do the same, and he shall declare the result from this count.

36. The ayes and noes shall be taken and recorded upon any question before the House, and all matters of vital interest to the craft. upon the call of seven delegates, except on a

roll call. Such cause shall not preclude amendment before the main question is put.

37. Any member may call for a division of a question when it admits of the same, and the chair shall decide which portion shall be first voted on.

38. In filling blanks, the largest sum and the longest time shall be put first, motions to fill blanks require no seconds, and any number may be made.

39. The following questions shall require a two-thirds vote; the previous question, to close or limit debate, to reconsider, to suspend the rules and to suspend the order of business. All other questions not otherwise designated in the Constitution of the Brotherhood, shall be carried by a majority vote.

40. A tie vote on the adoption of a motion or resolution on roll call defeats the same.

41. No discussion of a question shall be had after it has been put to a vote, and before final decision, nor shall any member enter or leave the hall during this interval.

Appeals.

42. An appeal may be taken by any member from any decision of the presiding officer.

43. Appeals are generally debatable, and the presiding officer may present his side from the chair.

44. An appeal from the decision of the presiding officer as to decorum in debate, or order of business, or while the previous question is pending is not debatable, but the presiding officer may state the reasons for his ruling.

45. Appeals shall be stated in this form: "Shall the decision of the chair stand?" A majority or tie vote sustains the presiding officer.

46. The motions to lay on the table or the previous question may be applied to an appeal if it is debatable, but shall affect nothing but the appeal.

Of Committees.

47. All committees shall be named by the presiding officer unless otherwise directed by the Convention.

48. The first named member on a committee shall act as chairman to call the committee together, when they may elect their own chairman.

49. A majority of any committee shall constitute a quorum or the transaction of business.

50. All reports of committees shall be presented in writing, and be signed by the members offering the same.

51. In going into committee of the whole, a chairman shall be immediately elected by convention; the Secretary shall act as clerk, and he shall, at the proper time, enter upon his minutes the report of the committee.

52. The Rules of Order of the Brotherhood except those limiting or closing debate and in regard to adjournment, shall govern the com-

mittee of the whole. A motion that the committee rise and report has the same precedence as the motion to adjourn in regular meeting. Should the business before the committee ing. Should the business before the Committee of the whole be unfinished, the motion to rise of the Whole be unfinished, the motion to rise should be "That the committee rise and report progress." In case of disorder the presiding officer of the convention may assume the chair and dissolve the committee of the whole. The quorum of the convention shall be the quorum of the committee of the whole.

Miscellaneous.

53. A motion to suspend the rules may be carried by the concurrence of two-thirds of the delegates present, and shall be decided without debate.

54. No amendment or alteration shall be made to the Rules of Order of the Brotherhood unless by a vote of two-thirds of the members present at a regular meeting, and all motions

for amendment or alteration shall be read to the convention at least two times previous to the same being acted upon.

55. In the absence of a standing rule, the Brotherhood shall have reference to "Roberts' Rules of Order."

O. A. TVEITMOE,
MILTON TUCKER,
P. H. MALLOY,
H. MATTSON,
P. C. GAHAN,
JAMES WATSON,
Committee on Constitution.

Adopted by the First Convention of the
American Brotherhood of Cement Workers,
June 18, 1903, San Francisco, California.



